

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 22-cr-203 (ADM/TNL)

Plaintiff,

v.

ORDER

Freddy Rivera (1), and
Alejandro Ray Seals (2),

Defendants.

This matter comes before the Court on Defendant Freddy Rivera's Motion to Continue Motions Hearing, ECF No. 56. This matter was previously scheduled for a motions hearing on January 24, 2023. ECF No. 40; *see also* ECF No. 57 (cancelling hearing and continuing to a date and time to be determined). Defense counsel for Defendant Rivera requested a continuance as he was "scheduled for trial in another jurisdiction to begin" the same day and "need[ed] additional time to review discovery." ECF No. 56 at 1. Defendant Alejandro Ray Seals and the Government had no objection to the requested extension. ECF No. 56 at 1. On February 13, 2023, Defendant Rivera filed the Statement of Facts in Support of Exclusion of Time Under Speedy Trial Act, ECF No. 59, in support of his motion.

Pursuant to 18 U.S.C. § 3161(h), the Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendants in a speedy trial and such continuance is necessary to provide the parties and their respective counsel the time necessary for effective preparation and to make efficient use of the parties'

resources. Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant Rivera's Motion to Continue Motions Hearing, ECF No. 56, is **GRANTED**.
2. The period of time from **January 23 through March 2, 2023**, shall be excluded from Speedy Trial Act computations in this case. *See United States v. Mallett*, 751 F.3d 907, 911 (8th Cir. 2014) ("Exclusions of time attributable to one defendant apply to all codefendants." (quotation omitted)); *United States v. Arrellano-Garcia*, 471 F.3d 897, 900 (8th Cir. 2006) (same).
3. The motions hearing shall take place before the undersigned on **March 2, 2023**, at **1:30 p.m.**, in Courtroom 9W, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota 55415.
4. **The trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for District Judge Ann D. Montgomery to confirm the new trial date.**

Dated: February 14, 2023

s/ Tony N. Leung
Tony N. Leung
United States Magistrate Judge
District of Minnesota

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